

(draft title)*

Resolution No. 2026-__

A Resolution of the City of Lincoln City Addressing Expressed Community Concerns Regarding Federal Immigration Enforcement

**This is a working community draft resolution and has not been reviewed by the City Council or legal counsel. Prepared based on public feedback by Councilor Marci Baker.*

PURPOSE The Council of City of Lincoln City adopts this resolution to:

- acknowledge recent public comment expressing community safety concerns;
- affirm its commitment to upholding the rights, safety, and dignity of all;
- clarify the City's administrative role and jurisdiction in relation to federal immigration enforcement;
- provide an understandable legal appendix of applicable federal, state and local law;
- outline actionable steps for enhancing community education, support public understanding, and public trust in the context of local, state and federal law enforcement and civil rights; and
- explore frameworks for ensuring accessible public engagement avenues in the context of community well-being concerns

SUMMARY This resolution acknowledges the range of public testimony received, clarifies existing legal protections and limitations under state and federal law, and initiates a broader, community-wide engagement process including a public town hall or special meeting to gather further input before considering any additional actions.

It affirms the Council's role in legislative oversight, policy development, and community engagement; focused on clarifying City responsibilities, strengthening public information, and supporting the safety and rights of all.

This resolution authorizes staff and advisory bodies to research, communicate, and recommend voluntary and educational measures that clarify the rights of individuals, support local businesses and city staff, and provide an advisory framework for lawful proactive community response to immigration enforcement related community concerns.

This resolution does not direct the operations of the Lincoln City Police Department or any other law enforcement agency.

WHEREAS, the Council has received significant public testimony expressing concern regarding federal immigration enforcement activities including but not limited to:

- the potential location of an ICE detention facility within Lincoln County
- concerns with the manner in which such enforcement is carried out, including masked agents, unmarked vehicles, and reports of the absence of judicial warrants during apprehensions
- fear of militarization of the streets of our community
- impacts on tourism and the local business economy

WHEREAS, the Council affirms the City of Lincoln City values the inherent dignity, safety, contributions and protected rights of all people, regardless of national origin, citizenship status, or immigration status and affirms its commitment to community safety, inclusion, and public trust; and

WHEREAS, the Council affirms the right of individuals and groups to peacefully assemble, express dissent, and petition their government without interference, so long as their conduct remains lawful and does not jeopardize public safety; and

WHEREAS, the Council acknowledges real as well as perceived public safety risks have many negative impacts on local law enforcement, first responders, individual health, our local economy, and overall community cohesion which are essential to our collective well-being; and

WHEREAS, the Council affirms that the visible or ambiguous presence of federal immigration agents in everyday community spaces has caused fear and confusion for some residents, particularly in the absence of any clear local emergency, and the Council supports preserving a community atmosphere of openness, transparency, and safety; and

WHEREAS, the City does not possess land use jurisdiction over facilities sited in other cities or unincorporated county areas, but affirms its duty to protect local residents from unlawful detention or intimidation within city limits; and

WHEREAS, the Council values actionable policy within our jurisdiction, and intends to align its actions with both the legal boundaries of municipal authority and the heartfelt concerns of the community;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINCOLN CITY, AS FOLLOWS:

Section 1: The Council seeks to clarify its own policies and strengthen community trust through practical, lawful, and proactive measures, commits to real-time responsiveness to present conditions within city limits and declines to take action on matters outside its legal jurisdiction.

Section 2: The City of Lincoln City affirms its commitment to due process, legal clarity, and ORS 181A.820 - ORS 181A.829 (Immigration Enforcement) and aligns with this statute by asserting its commitment not to use local resources to assist in federal immigration enforcement activities except as required by law.

Section 3: The Council respectfully requests that, to the extent allowable by law, judicial warrants related to federal immigration enforcement within city limits be proactively shared with local law enforcement or emergency response services for the purpose of emergency coordination and maintaining community safety, consistent with the City's commitment to public trust.

Section 4: The Council directs the City Manager or their designee to develop clear public-facing materials outlining:

- Current state and federal legal obligations in relation to immigration enforcement for public institutions, private businesses and individuals;
- Recommendations for distinguishing public vs. private spaces;
- Proactive guidance for all City employees in the event they are detained while serving in their role as a public servant;
- A clear policy regarding peaceful assembly on public property with a corresponding reference map of appropriate location

Section 5: The Council directs the City Manager or their designee to schedule a town hall by *(date)* to engage public feedback regarding suggested Council actions from the public including but not limited to:

- Allocating City funds for
 - potentially supporting community-based grants for legal aid or rapid response, and if so in what context or circumstances;
- Exploring partnerships with
 - qualified legal advocacy organizations or community groups to increase public awareness and education for businesses, employees, and residents who wish to better understand immigration-related enforcement practices and civil liberties;
- Establishing an ongoing public engagement framework to
 - recommend actionable policy options to the Council within city authority that foster public trust, legal clarity, and safety for all residents;
- Any other suggested potential Council actions from the public.

Section 6: The Council affirms the public's constitutional right to peaceful protest and free expression, and encourages such activities to occur in ways that uphold safety, dignity, and lawful conduct for all. The City recognizes that democratic health relies on both civic engagement and the peaceful exercise of these rights.

Section 7: The Council respectfully requests all law enforcement agents operating within city limits conduct their duties in a transparent and respectful manner consistent with due process and federal, state and local law, in order to increase public trust in all forms of law enforcement and steward the sense of safety and inclusion within Lincoln City.

Section 8: The Council urges all members of the public to prioritize safety, legality, and de-escalation at all times, and strongly cautions against any calls to physically intervene in the lawful actions of law enforcement officers. While expressions of protest are protected under the First Amendment, physically obstructing officers risks escalating tensions and endangering all parties involved, regardless of personal beliefs or the perceived morality of the situation.

The Council is aware that some public officials across the country, including governors and legislators, have encouraged this type of direct intervention. Lincoln City does not condone such conduct. We firmly reject any unlawful interference with the active duties of local, state, or federal law enforcement agencies.

Lincoln City values lawful, nonviolent approaches that uphold human dignity and community trust. We affirm that the safest and most effective way to preserve the peace and prevent harm is for community members to act as stewards of calm. The Council urges all who feel called to observe or protest enforcement actions to do so peacefully, legally, and in ways that protect life and reduce harm.

Section 9: Adoption and Purpose of Appendices

The City Council hereby adopts as integral components of this resolution for the limited and specific purposes of reference, transparency, and public understanding:

Appendix A: Plain Language Guide to Legal Context

Intended to provide an accessible, non-exhaustive, plain-language explanation of select federal, state, and local legal provisions that inform the City’s authority, limitations, and responsibilities related to the subject matter of this resolution. It is included to support informed public dialogue, reduce confusion, and promote accurate understanding of the legal framework within which the City operates.

Appendix B: Full Text of Applicable Law

Included to preserve the full, original legal text of the cited constitutional provisions, statutes, and charter sections referenced in Appendix A, ensuring transparency and allowing readers to independently review the source material.

The appendices are educational and interpretive in nature only. They do not create new law, modify existing law, direct law enforcement operations, or establish binding policy beyond the scope of this resolution. Their inclusion is intended to support clarity, civic education, and good-faith public engagement, and to provide a shared factual foundation for future discussion, staff research, and community input.

Section 10: This Resolution shall be effective immediately upon adoption.

BE IT FURTHER RESOLVED the Council affirms that this resolution does not seek to interfere with or constrain the independent operations of law enforcement agencies, including the Lincoln City Police Department, but rather to clarify administrative policy, support

voluntary community education efforts, and facilitate proactive civic engagement around concerns raised by residents and business owners.

Appendix A

Plain Language Guide to Legal Context

This appendix summarizes relevant federal, state, and local law that informs the City of Lincoln City’s authority, limitations, and responsibilities in responding to community concerns regarding federal immigration enforcement.

Each section below includes:

1. A plain-language summary of what the legal text establishes
2. Why it matters in the context of this resolution and Lincoln City’s municipal role

Constitution of the United States of America

Article VI – Supremacy Clause

Summary Article VI establishes that the U.S. Constitution, federal laws enacted pursuant to it, and treaties made under its authority are the supreme law of the land, binding on state and local judges even when state or local law differs.

Relevance to Lincoln City and this Resolution This provision clarifies that while federal law governs immigration enforcement, local governments must still operate within constitutional boundaries. The resolution acknowledges federal supremacy while focusing on the City’s lawful administrative role, local authority, and obligation to protect constitutional rights within city limits.

First Amendment

Summary The First Amendment protects freedom of religion, speech, press, peaceful assembly, and the right to petition the government for redress of grievances.

Relevance to Lincoln City and this Resolution This amendment underpins the resolution’s affirmation of residents’ rights to peaceful protest, public testimony, and civic engagement related to immigration enforcement concerns, provided such activity remains lawful and nonviolent.

Fourth Amendment

Summary The Fourth Amendment protects individuals from unreasonable searches and seizures and requires that warrants be supported by probable cause, issued by a neutral authority, and specific in scope.

Relevance to Lincoln City and this Resolution Public concern expressed to Council includes reports of enforcement actions without visible judicial warrants. This amendment informs the City's emphasis on due process, legal clarity, and the request that valid judicial warrants be shared for coordination and public safety purposes when allowable by law.

Tenth Amendment

Summary The Tenth Amendment reserves powers not delegated to the federal government to the states or the people.

Relevance to Lincoln City and this Resolution This amendment supports Oregon's authority to define how state and local agencies interact with federal immigration enforcement. The resolution operates within this framework by aligning City policy with state law that limits local participation in federal immigration enforcement activities.

Fourteenth Amendment, Section 1

Summary This section guarantees citizenship to persons born or naturalized in the United States and prohibits states from depriving any person of life, liberty, or property without due process of law, or denying equal protection of the laws.

Relevance to Lincoln City and this Resolution The resolution affirms the dignity, safety, and equal protection of all persons within Lincoln City, regardless of immigration status, and reinforces the City's commitment to due process and non-discrimination in municipal actions.

Constitution of Oregon

Article I, Section 1 – Natural Rights

Summary This section declares that all political power is inherent in the people and that government exists to ensure peace, safety, and happiness, with the right of the people to alter government as they see fit.

Relevance to Lincoln City and this Resolution This provision supports the Council’s role in responding to public testimony, facilitating civic engagement, and ensuring that government action reflects community well-being and public trust.

Article I, Section 8 – Freedom of Speech and Press

Summary Section 8 protects the right to freely express opinions and ideas, subject to responsibility for abuse of that right.

Relevance to Lincoln City and this Resolution This section reinforces protections for lawful expression and protest addressed in the resolution and supports the City’s commitment to open, accessible public dialogue on matters of community concern.

Article I, Section 9 – Unreasonable Searches or Seizures

Summary This section mirrors Fourth Amendment protections against unreasonable searches and seizures and requires warrants supported by probable cause.

Relevance to Lincoln City and this Resolution It provides state-level grounding for the resolution’s focus on lawful enforcement practices and reinforces concerns about warrant requirements raised by residents.

Article I, Section 10 – Administration of Justice

Summary Section 10 guarantees open courts, timely justice, and legal remedies for injury to person, property, or reputation.

Relevance to Lincoln City and this Resolution This section supports the resolution’s emphasis on transparency, due process, and access to lawful remedies when rights may be violated.

Article XI, Section 2 – Municipal Home Rule

Summary This section grants cities authority to adopt and amend municipal charters and govern local affairs, subject to state and federal law.

Relevance to Lincoln City and this Resolution This provision affirms the City’s authority to adopt resolutions, clarify administrative policy, and engage in public education within its jurisdiction while remaining compliant with higher law.

Lincoln City Charter

Section 2.2 – Construction of Charter

Summary This section provides that the Charter is to be liberally construed to grant the City all powers necessary or convenient to conduct municipal affairs, including those permitted under state home rule authority.

Relevance to Lincoln City and this Resolution This section supports the City’s authority to adopt educational, advisory, and engagement-based actions outlined in the resolution, even where specific powers are not expressly listed in the Charter.

Oregon Sanctuary Promise Statutes (ORS 181A.820 – ORS 181A.829)

ORS 181A.820 – Enforcement of Immigration Laws

Summary Prohibits state and local law enforcement agencies from using public resources to detect or apprehend individuals solely for civil immigration violations, and prohibits agreements to detain individuals for that purpose, with limited exceptions involving judicial warrants and criminal charges.

Relevance to Lincoln City and this Resolution This statute forms the legal foundation for Oregon’s limitation on local participation in federal immigration enforcement. The resolution affirms the City’s compliance with this law and clarifies its administrative posture.

ORS 181A.822 – Definitions

Summary Defines key terms used throughout ORS 181A.822–181A.829, including “immigration enforcement,” “law enforcement agency,” and “federal immigration authority.”

Relevance to Lincoln City and this Resolution These definitions clarify the scope of who and what is covered by Oregon law, ensuring accurate understanding by City officials, employees, and the public when interpreting enforcement boundaries.

ORS 181A.823 – Prohibitions Related to Immigration Enforcement

Summary Prohibits denying services, collecting immigration status information, or sharing non-public information for civil immigration enforcement purposes, except under specific judicial requirements, and requires notice of rights to individuals in custody.

Relevance to Lincoln City and this Resolution This statute informs the resolution’s focus on public education, employee guidance, and non-discrimination in City services and interactions.

ORS 181A.826 – Prohibition on Use of Public Resources

Summary Prohibits the use of public facilities, personnel, technology, or resources to support immigration enforcement and establishes documentation and reporting requirements for federal requests.

Relevance to Lincoln City and this Resolution This statute supports the resolution’s direction to clarify staff responsibilities, reinforce lawful boundaries, and maintain transparency and public trust.

ORS 181A.827 – Sanctuary Violation Reporting Mechanism

Summary Establishes a statewide reporting system for alleged violations of sanctuary laws, including public reporting and victim support provisions.

Relevance to Lincoln City and this Resolution This mechanism provides a lawful avenue for addressing concerns without local escalation and supports the resolution’s emphasis on lawful, non-violent responses to enforcement concerns.

ORS 181A.828 – Prohibition on Civil Arrest Without Judicial Warrant

Summary Prohibits civil immigration arrests in court facilities or related proceedings without a judicial warrant or order.

Relevance to Lincoln City and this Resolution This statute reinforces due process protections and informs public understanding of lawful enforcement boundaries discussed in the resolution.

ORS 181A.829 Prohibition on Agreements Related to Immigration Enforcement

Summary Prohibits public bodies from entering agreements that authorize federal immigration enforcement powers or the operation of private immigration detention facilities in Oregon.

Relevance to Lincoln City and this Resolution This statute directly addresses community concerns regarding detention facilities and affirms the City’s lack of authority to enter such agreements, while clarifying legal boundaries for public understanding.

Appendix B

Full Text of Applicable Law

Constitution of the United States of America

Article VI This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding

First Amendment Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances

Fourth Amendment The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized

Tenth Amendment The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people; and

Fourteenth Amendment, Section 1 All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws; and

Constitution of Oregon

Article I

Section 1. Natural rights inherent in people. We declare that all men, when they form a social compact are equal in right: that all power is inherent in the people, and all free governments are founded on their authority, and instituted for their peace, safety, and happiness; and they have at all times a right to alter, reform, or abolish the government in such manner as they may think proper.

Section 8. Freedom of speech and press. No law shall be passed restraining the free expression of opinion, or restricting the right to speak, write, or print freely on any subject whatever; but every person shall be responsible for the abuse of this right.

Section 9. Unreasonable searches or seizures. No law shall violate the right of the people to be secure in their persons, houses, papers, and effects, against unreasonable search, or seizure; and no warrant shall issue but upon probable cause, supported by oath, or affirmation, and particularly describing the place to be searched, and the person or thing to be seized.

Section 10. Administration of justice. No court shall be secret, but justice shall be administered, openly and without purchase, completely and without delay, and every man shall have remedy by due course of law for injury done him in his person, property, or reputation.

Article XI

Section 2. Formation of corporations; municipal charters; intoxicating liquor regulation. Corporations may be formed under general laws, but shall not be created by the Legislative Assembly by special laws. The Legislative Assembly shall not enact, amend or repeal any charter or act of incorporation for any municipality, city or town. The legal voters of every city and town are hereby granted power to enact and amend their municipal charter, subject to the Constitution and criminal laws of the State of Oregon, and the exclusive power to license, regulate, control, or to suppress or prohibit, the sale of intoxicating liquors therein is vested in such municipality; but such municipality shall within its limits be subject to the provisions of the local option law of the State of Oregon. grants home rule authority to cities, allowing municipalities to adopt charters and legislate local affairs so long as they do not conflict with state or federal law.

Lincoln City Charter

2.2 Construction of Charter. In this charter no mention of a particular power shall be construed to be exclusive or to restrict the scope of the powers which the city would have if the particular power were not mentioned. The charter shall be liberally construed to the end that the city may have all powers necessary or convenient for the conduct of its municipal affairs, including all powers that cities may assume pursuant to state laws and to the municipal home rule provisions of the state Constitution.

Oregon Revised Statutes

ORS 181A.820-ORS 181A.829 IMMIGRATION ENFORCEMENT

181A.820 Enforcement of federal immigration laws; civil action for violation.

(1) As used in this section:

(a) “Federal immigration authority” has the meaning given that term in ORS 180.805.

(b) “Warrant of arrest” has the meaning given that term in ORS 131.005.

(2) A law enforcement agency may not use agency moneys, equipment or personnel for the purpose of detecting or apprehending persons for the purpose of enforcing federal immigration laws.

(3) A law enforcement agency may not enter into a formal or informal agreement with a federal immigration authority relating to the detention of a person described in subsection (2) of this section.

(4) Notwithstanding subsection (2) of this section, a law enforcement agency may exchange information with a federal immigration authority in order to request criminal investigation information with reference to persons named in records of the federal immigration authority.

(5) Notwithstanding subsection (2) of this section, a law enforcement agency may arrest any person who:

(a) Is charged by the United States with a criminal violation of federal immigration laws under Title II of the Immigration and Nationality Act or 18 U.S.C. 1015, 1422 to 1429 or 1505; and

(b) Is subject to arrest for the crime pursuant to a warrant of arrest issued by a federal magistrate.

(6) Any person may bring a civil action against a law enforcement agency that violates subsection (2) or (3) of this section to enjoin the violation.

(7) For purposes of subsection (2) or (3) of this section, the Bureau of Labor and Industries is not a law enforcement agency. [Formerly 181.850; 2019 c.13 §32; 2021 c.550 §9]

181A.822 Definitions for ORS 181A.822 to 181A.829. As used in ORS 181A.822 to 181A.829:

(1) “Court facility” means a building or space occupied or used by a court of this state or local jurisdiction of this state, and any adjacent property including, but not limited to, sidewalks, parking area, grass or landscaped area, plazas, court-related offices, commercial and governmental spaces within the building or space and entrances to and exits from the building or space.

(2) “Federal immigration authority” means the United States Department of Homeland Security, the United States Immigration and Customs Enforcement, the United States Citizenship and Immigration Services, the United States Customs and Border Protection or a successor agency, any other federal immigration agency or official, or any other entity to which a federal immigration agency delegates or assigns the authority to detect, investigate or enforce violations of immigration law.

(3) “Immigration enforcement” means any activity that has as a purpose the apprehension or identification of an individual in order to:

(a) Subject the individual to civil immigration arrest, civil immigration detention, removal or deportation proceedings or removal or deportation from the United States; or

(b) Criminally prosecute the individual for offenses related to federal laws regarding immigration status.

(4) “Law enforcement agency” means:

(a) County sheriffs, municipal police departments, police departments established by a university under ORS 352.121 or 353.125;

(b) The Oregon State Police; and

(c) Corrections officers.

(5) “Officer” means an individual employed or contracted as an officer of a law enforcement agency whether or not the individual is on duty.

(6) “Public body” has the meaning given that term in ORS 174.109. [2021 c.550 §1]

181A.823 Prohibitions related to immigration enforcement; explanation of rights and consequences; civil action.

(1) A law enforcement agency or public body may not:

(a) Except as required by state or federal law, deny services, benefits, privileges or opportunities to an individual in custody, or on parole, probation or post-prison supervision, on the basis of known or suspected immigration status, the existence of an immigration detainer, hold, notification or other related federal immigration request or a civil immigration warrant;

(b) Inquire into or collect information about an individual's immigration or citizenship status or country of birth unless:

(A) The information is required to advance an investigation into a violation of state or local criminal law;

(B) The information is submitted to a court of this state, whether orally or in writing, in connection with a proceeding in that court; or

(C) As necessary to determine the individual's eligibility for a benefit that the individual is seeking; or

(c) Provide information, or enter into an agreement to provide information, about an individual in the custody of the public body or law enforcement agency to a federal immigration authority for the purpose of civil immigration enforcement, except:

(A) As may be required by a judicial subpoena issued as part of a court proceeding or by another compulsory court-issued legal process;

(B) As may be required to effect the international extradition to this state and return of a person charged with or convicted of crimes in this state and for whom a warrant of arrest has been issued; or

(C) To the extent that the information is available to the general public and under the same terms and conditions as the information is available to the general public.

(2) For purposes of subsection (1)(c)(A) of this section, a judicial subpoena does not include an administrative subpoena created and signed by a federal immigration authority.

(3) To ensure compliance with all treaty obligations, including consular notification, and state and federal laws, on the commitment or detainment of an individual, a law enforcement agency shall explain to the individual in writing, with interpretation into another language if requested:

(a) The individual's right to refuse to disclose the individual's nationality, citizenship or immigration status; and

(b) That disclosure of the individual's nationality, citizenship or immigration status may result in civil or criminal immigration enforcement, including removal from the United States.

(4) Any person may bring a civil action against a law enforcement agency or public body that violates subsections (1) to (3) of this section to enjoin the violation.

(5) Subsection (1)(b) of this section does not prohibit the Oregon Health Authority or the Department of Human Services from inquiring into or collecting data about country of birth in connection with data collected in accordance with uniform standards adopted under ORS 413.161. [2021 c.550 §2; 2023 c.69 §1; 2025 c.87 §1]

181A.825 [Formerly 181.852; renumbered 181A.672 in 2021]

181A.826 Prohibition on use of public resources for immigration enforcement; documentation; submission to Oregon Criminal Justice Commission; website; disclosure to Department of Justice; reporting requirements; civil action.

(1) Public facilities, property, moneys, equipment, technology or personnel may not be used for the purpose of investigating, detecting, apprehending, arresting, detaining or holding individuals for immigration enforcement.

(2) Actions with a purpose described in subsection (1) of this section include, but are not limited to, the following:

(a) Granting a federal immigration agency access to an area of a facility that is not normally open to the public.

(b) Supporting or assisting a federal agency in immigration enforcement, including but not limited to any of the following:

(A) Providing information, including but not limited to an individual's contact information, country of birth, custody status, release date, parole, probation or post-prison supervision appointment dates or times, or home or work address, except as provided in ORS 181A.823;

(B) Investigating or interrogating individuals for immigration enforcement; or

(C) Establishing traffic perimeters for the purpose of supporting or facilitating immigration enforcement.

(3)

(a) If a public body receives a communication or request from a federal agency that relates to immigration enforcement, other than a judicial subpoena described in ORS 181A.823 (1)(c)(A) or a communication or request made pursuant to an international extradition under ORS 181A.823 (1)(c)(B), the public body shall decline the request and document the communication or request. The documentation described in this subsection must be provided to the director or other similar management personnel of the public body.

(b) The public body shall submit the information documented under this subsection to the Oregon Criminal Justice Commission pursuant to procedures established by the commission. The commission shall require at least monthly submission of the information described in this subsection.

(c) A public body shall adopt internal procedures to carry out this subsection.

(4)

(a) The commission shall publish and continually update, on a website operated by or on behalf of the commission, an entry for each communication or request described in subsection (3) of this section, the public body that received the communication or request, the federal agency involved in the communication or that made the request and a summary of the public body's response to the communication or request.

(b) The information contained on the website described in this subsection may not contain any personally identifiable information of the individuals involved in the

communication or request, including of an individual targeted by federal immigration authorities, an individual who reported the communication or request, an individual who witnessed the communication or request or report of the communication or request or the family members of an individual described in this paragraph.

(c)

(A) Information obtained by the commission under this subsection may be used only for statistical purposes and coordination with the sanctuary violation reporting mechanism established under ORS 181A.827.

(B) Information described in this subsection that may reveal the identity of an individual described in paragraph (b) of this subsection is exempt from disclosure under ORS 192.311 to 192.478.

(C) Pursuant to a request from the Department of Justice, the commission may release to the department information described in this subsection that is necessary to investigate a report made to the sanctuary violation reporting mechanism established under ORS 181A.827 if the information is used to support an individual described in paragraph (b) of this subsection.

(d) Not later than July 1, 2022, and at least annually thereafter, the commission shall issue a report that summarizes the information reported to the commission and published on the website described in this subsection. The commission shall provide the report to the Governor, the Legislative Assembly, the district attorneys of this state, the Department of State Police, each law enforcement agency in this state and the Department of Public Safety Standards and Training.

(5) Any person may bring a civil action against a law enforcement agency or public body that violates subsection (1) of this section to enjoin the violation. [2021 c.550 §3; 2025 c.87 §2]

181A.827 Sanctuary violation reporting mechanism; website.

(1) The Department of Justice shall establish a sanctuary violation reporting mechanism to receive reports of alleged violations of ORS 180.805, 181A.820, 181A.823 and 181A.826. The sanctuary violation reporting mechanism must include a staffed telephone hotline and an online system that allows for electronic reporting.

(2) The sanctuary violation reporting mechanism must:

(a) Be coordinated with the Oregon Criminal Justice Commission to develop a standardized intake process for reports made through the hotline or online system;

(b) Collect all data possible regarding agencies, personnel, locations and individuals involved with violations reported through the hotline or online system;

(c) Provide culturally competent assistance, referrals and resources to an individual targeted by a violation reported through the hotline or online system, and ensure that the assistance, referrals and resources are designed to reduce the effects of trauma and prevent further trauma; and

(d) Coordinate with local organizations and service providers to assist individuals targeted by violations reported through the hotline or online system and families of those individuals.

(3) The department, in coordination with the commission, shall publish and continually update, on a website operated by or on behalf of the department:

(a) The number of complaints received by the mechanism established under subsection (1) of this section; and

(b) An entry for each complaint, including the alleged violation, the federal agency implicated in the complaint and public bodies or agencies involved in the incident and the response of the public bodies and agencies.

(4) The information contained on the website described in subsection (3) of this section may not contain any personally identifiable information of the individuals involved in the incident on which the complaint is based.

(5) Information and data obtained under this section:

(a) May be used only for the purposes described in this section; and

(b) Is exempt from public disclosure under ORS 192.311 to 192.478 if the information may reveal the identity of an individual involved in an incident on which a complaint reported to the sanctuary violation reporting mechanism is based. [2021 c.550 §4]

181A.828 Prohibition on civil arrest without warrant or order in court facility or in connection with court proceeding; civil action.

(1) An individual may not be subject to civil arrest without a judicial warrant or judicial order when the individual is in a court facility.

(2) An individual who, in good faith, is attending a court proceeding in which the individual is a party or potential witness, or family or household member of a party or potential witness, may not be subject to civil arrest while going to, remaining at or returning from the court proceeding, unless the civil arrest is supported by a judicial warrant or judicial order that authorizes the civil arrest.

(3) Any person may bring a civil action against a law enforcement agency or public body that violates this section to enjoin the violation. [2021 c.550 §5]

181A.829 Prohibition on agreements related to immigration enforcement; operation of private immigration detention facility; civil action.

(1) A public body, law enforcement agency or an officer of a law enforcement agency may not enter into or renew an agreement, contract, memorandum of understanding or other arrangement that authorizes the public body, law enforcement agency or officer to exercise federal immigration enforcement powers, including those powers specified in 8 U.S.C. 1357(g), or that otherwise permits the public body, law enforcement agency or officer to detain or house individuals for federal civil immigration violations.

(2) A public body or law enforcement agency may not enter into or renew an agreement, contract, memorandum of understanding or other arrangement under which the public body or law enforcement agency detains or houses individuals who are in the custody of a federal immigration authority for violations of federal immigration law.

(3) A person may not operate a private immigration detention facility within this state.

(4) Any person may bring a civil action against a law enforcement agency or public body that violates this section to enjoin the violation. [2021 c.550 §6]

181A.830 [Formerly 181.854; 2020 s.s.1 c.7 §5; renumbered 181A.674 in 2021]

181A.832 [2019 c.79 §1; renumbered 181A.487 in 2021]